

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

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IN RE TREMONT SECURITIES LAW, :
STATE LAW AND INSURANCE : Master File No.:
LITIGATION : 08 Civ. 11117 (TPG)
:
-----x **JURY TRIAL DEMANDED**
This Document Relates to: All Actions :
: "ECF Case"
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**THE ROSS GROUP'S MEMORANDUM IN SUPPORT OF
PLAINTIFFS' SETTLEMENT CLASS COUNSEL'S PROPOSED
FUND DISTRIBUTION ACCOUNT PLAN OF ALLOCATION**

The “Ross Group” consists of 146 expected claimants in the Fund Distribution Account, specifically, all of the plaintiffs in Agile Safety Variable Fund LP v. Tremont Group Holdings, Inc., et al., Case No. 2010 CV 2904 (Colo. Dist. Ct.); Askenazy v. Tremont Group Holdings, Inc., et al., Civil Action No. 10-040801-BLS2 (Mass. Super. Ct.); Spectrum Select, L.P. v. Tremont Group Holdings, Inc., 12 Civ. 9057 (TPG) (U.S.D.C., S.D.N.Y.); Anikstein v. Tremont Group Holdings, Inc., 12 Civ. 9058 (TPG) (U.S.D.C., S.D.N.Y.); Becker v. Tremont Group Holdings, Inc., 12 Civ. 9060 (TPG) (U.S.D.C., S.D.N.Y.); Bilgore v. Tremont Group Holdings, Inc., 12 Civ. 9061 (TPG); Karasel II, L.P. v. Tremont Group Holdings, Inc., 12 Civ. 9062 (TPG) (U.S.D.C., S.D.N.Y.); Spectrum Select II, L.P. v. Tremont Group Holdings, Inc., 12 Civ. 9063 (TPG) (U.S.D.C., S.D.N.Y.); and Cocchi v. Tremont Group Holdings, Inc., 12 Civ. 9064 (TPG) (U.S.D.C., S.D.N.Y.). The Ross Group suffered total losses in the Rye/Tremont Funds of \$190,903,042, as follows:

- Rye Select Broad Market Fund, L.P.: \$18,249,556;
- Rye Select Broad Market Prime Fund, L.P.: \$81,987,587;
- Rye Select Broad Market XL Fund, L.P.: \$89,379,149;
- Tremont Opportunity Fund II, L.P.: \$39,000;
- Tremont Market Neutral Fund II, L.P.: \$47,750; and
- Rye Select Broad Market XL Portfolio Limited: \$1,200,000.

The Ross Group respectfully submits this memorandum to express full support for Plaintiffs’ Settlement Class Counsel’s Proposed Fund Distribution Account Plan of Allocation, known as the “Consensus FDA POA” or simply the “proposed FDA POA.” (Dkt. No. 1089-1 (proposed FDA POA).) The proposed FDA POA is the product of extensive negotiations in which all parties, including the Ross Group, made compromises. As a result, the FDA POA has

broad support among many diverse parties. We fully support the proposed FDA POA, and respectfully request that the Court approve it as submitted.

Dated: August 10, 2015

Respectfully submitted,

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